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RUTH HELENE KNOWLTON 9206 TISH COURT HOUSTON, TX 77040			HUYNH, THU V	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/903,417	Applicant(s) KNOWLTON ET AL.	
	Examiner Thu V Huynh	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/12/01</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responsive to communications: IDS and application filed on 07/12/2001.
2. Claims 1-19 are pending in the case. Claim 1 is independent claim.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 3, 5, 8, 11, 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding claims 3, 8, 11 and 13, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 5 recites the limitation "the media library". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claims 1-7, 9-10, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Word Handout (hereinafter Word), copyright 1999, pages 1-50, in view of Nadkarni, US 6,266,659 B1, filed 1998, and Yu et al., US 2002/0188612 A1, filed 06/2001.**

Regarding independent claim 1, Word teaches a computerized software system which is used to produce electronic resumes which contain audio and/or visual media elements to illustrate the text items (Microsoft, pages 1-31, creating resume from a template or using wizard. Inserting any picture/sound/video elements, such as elements from education, business, etc., to the resume to demonstrate the resume text); said software being authored with a multi-media tool, having interactive self-training features for end users so that they may use the system without the need for any formal training (Word, pages 1-31, using resume wizard or resume template contains instructions to create a resume), said software using and generating data files and elements for resumes, linking and including a full spectrum of audio and visual media, said software generating its own code for a compressed format output, capable of being presented over the internet or delivered by email (Word, pages 1-32, generating resumes and elements for resume, such as objective, experiences, etc., inserting graphic, audio and/or visual media from "Clip Art" in the resume; linking to scanner or camera for inserting pictures or movies;

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compressing many different file into a file format output; compressing format output using “shrink to fit” function before sending the resume by email or fax); said software system supplying the style templates for the end user to select the style of output presentation and model(s) of delivery (Word, pages 12-16, providing different style templates for the user to select the style of the resume and options for sending the resume, such as fax or email).

Word does not explicitly disclose the software having interactive self-training features for administrator so that the administrator may use the system without the need for any formal training.

Nadkarni teaches software system which is used to produce electronic resumes online (Nadkarni, col.2, lines 27-41). The system has an administrator interface for maintenance, control and monitoring (Nadkarni, col.4, lines 62-67; col.7, lines 52-62).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Nadkarni’s creating resume online into Word’s creating resume to provide a system to create resume online contain audio/video media, wherein the system includes an administrator domain to manage different user accounts as suggested by Nadkarni in col.7, lines 58-62.

Yu teaches wizard is used to guide administrator through steps of configuring the user management functions of a system (Yu, page 2, paragraph 18).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Yu’s wizard into Nadkarni to provide interactive self-training features for administrator to maintain user accounts when the users perform creating, editing user’s resume, sign-in or sign-out, deleting user account (Hendrickson,

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fig.6A), since the combination would have guided the administrator of the system to maintain different user accounts so that users are not authenticated by an account can not be accessed to the account to create, modify the resumes in the account on Internet.

Regarding dependent claim 2, which is dependent on claim 1, Word teaches the system can reside on a stand-alone computer or workstation connected to one or more output devices, or on a local area or wide area network server and accessed by users connected to that server, or on an Internet server, which can be accessed by subscribers (Word is prepared from a user computer to illustrate creating of resumes);

Regarding dependent claim 3, which is dependent on claim 1, Word controls the operation of other media software through an instructional graphical user interface, having audio directed interactions; said software to perform such specific media functions as to create and/or play audio clips, create and/or play video clips, operate a scanner, burn a CD, write to a disk, import media files as well as text files, and convert file formats, as needed (Word, pages 1-35, inserting text, graphic, audio, video through user interface; previewing pictures; playing audio clips, video clips; operating a scanner or camera to insert pictures or video clips; saving the resume to a CD, floppy disk, hard drive under different format, such as word document, rich text, web, etc.).

Regarding dependent claim 4, which is dependent on claim 3, Word allows that user to dynamically link to other media software packages residing on their system, under the control of a multi-media interface, and storing the results in data files for later use by

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the system (Word, page 32--43, linking to other media software packages, such as scanning, Microsoft Excel software through user interface; saving data files created from other software for later use, such as saving Excel file "record"; inserting such data file "record" into the resume or other documents).

Regarding dependent claim 5, which is dependent on claim 3, which enables the user to add to the media library, delete from the library, or make edits to the contents of the media library and otherwise manage the content of the media library with tags, keywords and descriptors (Word, pages 14-16, 43, editing the contents of the resume, manage the content of the resume with elements so that the user enables to edit the contents).

Regarding dependent claim 6, which is dependent on claim 3, Word teaches facilitates the user being able to, at run time, dynamically capture media for inclusion into the resume, said media being sounds, pictures, video clips, text-based presentations, said media being captured by an application specified by the user; said media being captured by the specified software application while under the direction of a graphical user interface and instructions supplied by this system; said interface being of such a self-explanatory nature and detail that the user need have no prior experience using the application under control of this system to achieve success at capturing the media (Microsoft, pages, 1-32; 36-37, 41-43; user specifies graphic, sound, video clips, or/and text to insert into the resume under direction of a graphical user interface).

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Regarding dependent claim 7, which is dependent on claim 1, Word does not explicitly disclose tagging the data files and elements with information to enable searches, said searches being able to locate media files of a certain type, size or content, said searches being able to identify a resume of a certain title or content; said searches being able to identify matches between the databank of resumes and specific job criteria.

Nadkarni teaches tagging the data files and elements with information to enable searches, said searches being able to locate media files of a certain type, size or content, said searches being able to identify a resume of a certain title or content; said searches being able to identify matches between the databank of resumes and specific job criteria (Nadkarni, col.2, lines 30-40, 53-59; col.7, lines 9-18).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Nadkarni into Word to tag elements to enable searches, since the combination would have provided searching function to find candidates that match search criteria from an employer on the Internet.

Regarding dependent claim 9, which is dependent on claim 1, Word teaches the system allows the format of a resume to be selected by the end user from a collection of templates (Word, pages 2, 5-6, 14-16; user selects a style for the resume from many style templates).

Regarding dependent claim 10, which is dependent on claim 1, Word teaches the system integrates all selected information, text, and media assets, and automatically generates generic web-enabled program code to display that selected information, text

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and media assets according to the chosen format (Word, pages 34, 44-49, automatically generating web page when the user save the resume under web page format to displaying the resume under a browser).

Regarding dependent claim 12, which is dependent on claim 9, Word allows the output to be viewed inside a web browser prior to acceptance for publication to an output media (Word, pages 46-49; allowing the user to review the resume under a browser before posting on the Internet).

Regarding dependent claim 13, which is dependent on claim 1, Word supports the user's selection of output media; said output formats being uploaded to a web site, outputted to a mass storage device such as CD, floppy or high storage media such as Zip or jazz, an attachment to an email, printed copy, or copy to another location on a hard drive (Word, pages 13, 34-35, 44, allowing the user saving the resume into different format including web page (html) format; storing the resume file in storage such as CD, hard drive, floppy; sending the resume by email or printing the resume).

7. **Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Nadkarni and Yu as applied to claim 1 above, and further in view of Wiens et al., US 6,363,376 B1, filed 07/2000.**

Regarding dependent claim 8, which is dependent on claim 1, Word does not explicitly disclose linking data elements within the databank of resume information to

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other relevant data files external to the resume application, such as billing information, job openings data banks, training databases and reference databases.

Nadkarni teaches candidate or employer may be required to pay charges for use of the system (Nadkarni, col.6, lines 56-61).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Nadkarni's teaching into Word to link user information into bill information, since the combination would have charged the users who used the system as Nadkarni disclosed.

Wiens teaches links elements within the databank of resume information to other relevant data files external to the resume application, such as job openings data banks (Wiens, col.4, lines 13-25).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Wiens's teaching into Nadkarni to link user information to other web sites and/or database, since the combination would have allowed the user searches information, such as positions that are related/matched to the user's experiences.

8. **Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Nadkarni and Yu as applied to claim 1 above, and further in view of Mindrum et al., US 2003/0197721 A1, provisional filed 1997.**

Regarding dependent claim 11, which is dependent on claim 9, Word contains its own library of buttons and other navigational elements needed to display the resume output in the selected format, with the appropriate functionality for the media types; said

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players being automatically included according to media type and selected display format (Word, page 29, providing button for audio file when playing the audio in Word format).

Word does not explicitly disclose said functionality being specific media players, such as but not limited to Real, Microsoft, QuickTime and Macromedia players.

Mindrum teaches video format in form of Macromedia, Real media, Quicktime, etc. (Mindrum, page 3, paragraph 31).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combine Mindrum into Word to provides many media players, since the combination would have allow the the video to be played in many different types of media.

9. **Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Nadkarni and Yu as applied to claim 1 above, and further in view of Richards et al., US 2002/0099829 A1, filed 02/2001.**

Regarding dependent claim 14, which is dependent on claim 13, Word can automatically compress file formats to support the presentation of the resume with the desired output format, said processor giving an error message to the user if the file sizes cannot be compressed to a suitable size for transmission or viewing (Word, pages 12-13, 33-34; 50; compressing many different files, such as image, text, spreadsheet into a file format output, such as web page (html) file; compressing the resume using “shrink to fit” function before sending the resume by email or fax; said processor looking at space available on the output media or appropriate for transmission, and the file size of the integrated resume).

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Richards teaches automatically compressing file formats to support the presentation of the document with the desired output format; looking at space available on the output media or appropriate for transmission, and the file size of the integrated document (Richards, page 2, paragraphs 15, 17; page 3, paragraph 18; compressing the document by reducing the file size for specific device with specific rendering capacity).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Richards into Word to compress the resume file to a suitable size for transmission, since the combination would have allowed the resume to be transmitted and displayed on different devices with different rendering capacity on the Internet.

10. **Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Nadkarni and Yu as applied to claim 1 above, and further in view of Lewis, US 2003/0169631 A1, provisional filed 04/2001.**

Regarding dependent claim 15, which is dependent on claim 1, Word can support an unlimited number of users; said users having the capability to have multiple resumes within their files (Word, pages 33-35; 47; users can create and save many resumes as the users want in different location).

However, Word does not explicitly disclose said users being able to access media in their own private media library or in a global system library; said user directories, files and libraries being protected from access by other users.

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Lewis teaches the user is able to edit submitted resume and security measures are used to prevent an applicant's data from being accessed by another applicant or other unauthorized user of system (Lewis, page 2, paragraph 24).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combine Lewis' teaching into Word and Nadkarni to protect user accounts and information from access by other users, since the combination would have provided a private and/or secure environment for the user when the user creates resume from the system on the Internet.

11. **Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Nadkarni and Yu as applied to claim 1 above, and further in view of Guheen et al., US 6,519,571 B1, filed 05/1999.**

Regarding dependent claim 16, which is dependent on claim 1, Word dow not explicitly disclose having a component for use by a system administrator, said administrator being able to add new user information to the system, inactivate users, locate user passwords, perform system back-ups, change software applications available for support under the control of the resume system', said component having a graphical user interface and self-instructional elements such that no formal training is required to effectively use the system.

Nadkarni teaches having a component for use by a system administrator, said administrator being able to add new user information to the system, inactivate users (Nadkarni, col. 7, lines 34-64).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Nadkarni and Word to provide features for administrator domain, since the combination would have facilitated the administrator to control user information in the system as Nadkarni disclosed in col.4, lines 62-67.

Yu teaches wizard is used to guide administrator through steps of configuring the user management functions of a system (Yu, page 2, paragraph 18).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Yu's wizard into Nadkarni to provide interactive self-training features for administrator to maintain user accounts when the users perform creating, editing user's resume, sign-in or sign-out, deleting user account (Hendrickson, fig.6A), since the combination would have guided the administrator of the system to maintain different user accounts so that users are not authenticated by an account can not be accessed to the account to create, modify the resumes in the account on Internet.

Guheen teaches administrator is able add new user information to the system, locate user passwords, perform system back-ups, change software applications (Guheen, col.19, lines "System Management Tool", " allows administrator to add users, host or application ... provides automated, backup, recovery and storage management services for files and applications", col.147, lines 45-49).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Guheen into Nadkarni to provide more functions for administrator domain, since the combination would have facilitated the administrator to control user information as well as the system.

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12. **Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Nadkarni and Yu and further in view of Guheen as applied to claim 16 above, and further in view of Hendrickson et al., US 2002/0065852 A1, filed 11/2000 and Choban et al., US 2002/01941000 A1, provisional filed 11/2000.**

Regarding dependent claim 17, which is dependent on claim 16, Word does not explicitly disclose allowing the end user to perform many of the elements of a system administrator without the intervention of a human; said elements being new user information, billing information, password maintenance, and application definition.

Hendrickson teaches the system allows the end user to perform many of the elements of a system administrator without the intervention of a human; said elements being new user information (fig. 6A, "Update Profile", "Delete Account").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hendrickson into Nadkarni to allow the user to manage user's resume account on the Internet, since the combination would have facilitate the user to manage user account in the system.

Hendrickson teaches deleting a user account as addressed above. However, Hendrickson does not explicitly disclose the end user performs billing information, password maintenance, and application definition.

Choban teaches the end user performing billing information, password maintenance, and application definition (Choban, page 5, paragraph 62, page 6, paragraph 65; the user enters payment information, such as credit card for the account; selecting configuration option to edit user profile including password).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Choban's teaching into Hendrickson to allow the user to manage user's resume account on the Internet, since the combination would have allowed the user to update information in user's profile as suggested by both Choban and Hendrickson, which includes user's password, billing information, etc.

13. **Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Nadkarni and Yu and further in view of Guheen as applied to claim 16 above, and further in view of Johnson, US 2002/0133369 A1, provisional filed 11/2000.**

Regarding dependent claim 18, which is dependent on claim 16, Word does not explicitly disclose allowing an administrator or case manager to compile resumes of one or more applicants for submission to a prospective employer, said applicants having resume elements on file that match specified job search criteria.

Johnson teaches allowing an administrator or case manager to compile resumes of one or more applicants for submission to a prospective employer, said applicants having resume elements on file that match specified job search criteria (Johnson, page 3, paragraphs 32, 50; page 4, paragraphs 35, 39, 69; agency administrator collects resumes of potential candidates for submission to a prospective employer).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Johnson's teaching into Hendrickson to provide a system that allow manager to collect potential match candidates' resumes and submit such resume to a prospective employer, since the combination would have provide a

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system “for bringing together placement agencies, candidates and employers . . . and allows the placement agency an opportunity to field candidates to employers and to seek qualified candidates for employment positions for which the placement agency is responsible” (Johnson, page 2, paragraph 17).

14. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Nadkarni and Yu and further in view of Guheen as applied to claim 16 above, and further in view of Lewis, US 2003/0169631 A1, provisional filed 04/2001 and Johnson, US 2002/0133369 A1, provisional filed 11/2000.

Regarding dependent claim 19, which is dependent on claim 16, Word does not explicitly disclose a case manager or administrator to interview a candidate by a standard video conference software application, record selected elements of the conversation suitable for submission to a perspective employer, and include that recording with the applicant's resume or cover letter.

Lewis teaches allowing case manager or administrator to interview a candidate by a standard video conference software application, record selected elements of the conversation suitable for a prospective employer assessing, and include that recording with the applicant's resume or cover letter (Lewis, page 3, paragraph 32, page 4, paragraph 35 and 39).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Lewis's teaching into Hendrickson to include Lewis's video recording with Hendrickson's resume, since the combination would have provide more candidate's information to the prospective employer.

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Johnson teaches an agent (case manager) interview a candidate for submission to a prospective employer (Johnson, page 2, paragraph 35).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Johnson's teaching into Lewis to submit potential candidates' resume to prospective employer, since the combination would have the most qualified candidates, after the agency is interviewed, are sent to the employer for final interview process.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Taylor, US 5,832,497, filed 1995, teaches electronic automated information exchange and management system.

Walker et al., US 5,884,272, filed 09/1996, teaches method for establishing and maintaining user controlled anonymous communications.

McGovern et al., US 5,978,768, filed 05/1997, teaches computerized job search system and method for posting and searching job opening via a computer network.

Ingle et al., US 2002/0138524, filed 01/2001, teaches system and method for creating a clinical resume.

"IT-Careernet Video Resumes", http://www.it-careernet.com/video_resume.htm, page 1, published 04/2001 (using wayback machine to retrieve the document http://www.it-careernet.com/video_resume.htm which is archived on 04/09/2001, under link "Apr 09,2001").


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V Huynh whose telephone number is (571) 273-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S Hong can be reached on (571) 273-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH
December 9, 2004


STEPHEN S. HONG
PRIMARY EXAMINER